



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

3-22-17

Application of California-American Water Company (U210W) for Authorization to Increase its Revenues for Water Service by \$34,559,200 or 16.29% in the year 2018, by \$8,478,500 or 3.43% in the year 2019, and by \$7,742,600 or 3.03% in the year 2020.

Application A.16-07-002
(Filed July 1, 2016)

**NOTICE OF INTENT TO CLAIM INTERVENOR COMPENSATION
AND, IF REQUESTED (and [XX]¹ checked), ADMINISTRATIVE LAW JUDGE'S
RULING ON Central Coast Coalition of Communities for Wastewater Equity'S
SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP**

NOTE: After electronically filing a PDF copy of this Notice of Intent (NOI), please email the document in an MS WORD format to the Intervenor Compensation Program Coordinator at Icompcoordinator@cpuc.ca.gov.

Customer (party intending to claim intervenor compensation):	
Assigned Commissioner: Michael Picker	Administrative Law Judge: Sophia Park
I hereby certify that the information I have set forth in Parts I, II, III and IV of this Notice of Intent (NOI) is true to my best knowledge, information and belief.	
Signature:	/s/ Arthur McLoughlin
Date: March 22, 2017	Printed Name: Arthur McLoughlin

PART I: PROCEDURAL ISSUES
(To be completed by the party ("customer") intending to claim intervenor compensation)

A. Status as "customer" (see Pub. Util. Code § 1802(b)): The party claims "customer" status because the party is (check one):	Applies (check)
1. A Category 1 customer is an actual customer whose self-interest in the proceeding arises primarily from his/her role as a customer of the utility and, at the same time, the customer must represent the broader interests of at least some other customers.	<input type="checkbox"/>
In addition to describing your own interest in the proceeding you must show how	

¹ DO NOT CHECK THIS BOX if a finding of significant financial hardship is not needed (in cases where there is a valid rebuttable presumption of eligibility (Part III(A)(3)) or significant financial hardship showing has been deferred to the intervenor compensation claim).

your participation goes beyond just your own self-interest and will benefit other customers.

To clarify: The Coalition seeks only transcripts at no charge in these proceedings. The Coalition represents the 700 “Passive Wastewater” system customers of Oak Hills and Spreckels

Background:

A.08-01-27

The Coalition was originally formed and became a party in 2008 in response to California American’s Application A.08-01-27. The Coalition held meetings, hosted a representative from the Dept of Ratepayers Advocates, gathered testimony and presented testimony before ALJ Bushey and all concerned parties at CPUC hearings in San Francisco. It also submitted a 29 page brief regarding the final settlement of A.08-01-27.

A.10-07-007

In 2010, as in 2017, the Cal Am customers in Spreckels and Oak Hills were not mailed notification of Cal Am’s application for a rate increase. Despite this late entry, over 14 hours of meetings were held with Cal Am officials, and with representatives of D.R.A. in San Francisco.

A.13-07-002



In 2013-14, several meetings were held with Cal Am, however, the Coalition was eventually forced to file a Motion to Compel Discovery which, when granted, showed 42% of all income from the Passive Systems was allocated to “General Office Expenses”. The Coalition also filed extensive Direct Testimony and an analysis of Cal Am’s 10 year \$750,000 “studies” of the Monterey County Wastewater System ½ of which was filled with public documents and internal documents such as its 37 pages of “Draft Confidential 2008 Fats Oils and Grease”.


A.16-07-002

The Coalition is only requesting that it receive transcripts of all proceedings at no charge. It has not received any other compensation in the past and seeks none other than transcripts in this proceeding.

(It must be noted that Intervenor Compensation does not cover travel time or cost for distances less than 120 miles. For a 1.5 hour meeting with ORA in SF on February 7, required 10 hours travel time.)

Though at a serious disadvantage because Cal Am failed to notify the Passive Wastewater customers of its application for a rate increase or of public hearings, the Coalition believes it can still make a significant contributions regarding the situation with Monterey County Passive Systems if it receives transcripts of the proceedings as well as very basic requests for information regarding the passive systems from both ORA and Cal Am.

<p>2. A Category 2 customer is a representative who has been authorized by actual customers to represent them. Category 2 involves a more formal arrangement where a customer or a group of customers selects a more skilled person to represent the customer's views in a proceeding. A customer or group of customers may also form or authorize a group to represent them, and the group, in turn, may authorize a representative such as an attorney to represent the group.</p> <p>A representative authorized by a customer must identify the residential customer(s) being represented and provide authorization from at least one customer. <i>See D.98-04-059 at 30.</i></p>	<input type="checkbox"/>
<p>3. A Category 3 customer is a formally organized group authorized, by its articles of incorporation or bylaws to represent the interests of residential customers or small commercial customers receiving bundled electric service from an electrical corporation.² Certain environmental groups that represent residential customers with concerns for the environment may also qualify as Category 3 customers, even if the above requirement is not specifically met in the articles or bylaws. <i>See D.98-04-059, footnote at 3.</i></p>	
<p>The party's explanation of its customer status must include the percentage of the intervenors members who are residential ratepayers or the percentage of the intervenors members who are customers receiving bundled electric service from an electrical corporation, and must include supporting documentation: (i.e., articles of incorporation or bylaws).</p>	
<p>Identify all attached documents in Part IV. ByLaws Central Coast Coalition of Communities for Wastewater Equity</p>	
<p>Do you have any direct economic interest in outcomes of the proceeding?³</p> <p>Yes:  No: <input type="checkbox"/></p> <p>If "Yes", explain: The Coalition Officers and Members are all affected Residential Ratepayers in the areas impacted by Cal Am's application for rate increases: A.16 07 002</p>	

B. Conflict of Interest (§ 1802.3)	Check
<p>1. Is the customer a representative of a group representing the interests of small commercial customers who receive bundled electric service from an</p>	<p><input type="checkbox"/> Yes  No</p>

² Intervenors representing either a group of residential customers or small commercial customers who receive bundled electric service from an electrical corporation, must indicate in Part I, Section A, Item #4 of this form, the percentage of their members who are residential customers or the percentage of their members who receive bundled electric service from an electrical corporation. The NOI may be rejected if this information is omitted.

³ See Rule 17.1(e).

electrical corporation?	
2. If the answer to the above question is “Yes”, does the customer have a conflict arising from prior representation before the Commission?	<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Timely Filing of Notice of Intent (NOI) (§ 1804(a)(1)):	Check
1. Is the party's NOI filed within 30 days after a Prehearing Conference? Date of Prehearing Conference: Click here to enter a date.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2. Is the party's NOI filed at another time (for example, because no Prehearing Conference was held, the proceeding will take less than 30 days, the schedule did not reasonably allow parties to identify issues within the timeframe normally permitted, or new issues have emerged)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2a. The party's description of the reasons for filing its NOI at this other time: No formal notice was ever provided of Cal Am's application. The Coalition is a volunteer community group.	
2b. The party's information on the proceeding number, date, and decision number for any Commission decision, Commissioner ruling, Administrative Law Judge's ruling, or other document authorizing the filing of NOI at that other time:	

PART II: SCOPE OF ANTICIPATED PARTICIPATION
(To be completed by the party (“customer”) intending to claim intervenor compensation)

A. Planned Participation (§ 1804(a)(2)(A)(i)):
The party's statement of the issues on which it plans to participate: The Coalition's interest is Monterey County's Passive Wastewater Systems of Spreckels and Oak Hills.
The party's explanation of how it plans to avoid duplication of effort with other parties: No other organization represents our constituencies of Oak Hills and Spreckels.
The party's description of the nature and extent of the party's planned participation in this proceeding (to the extent that it is possible to describe on the date this NOI is filed). The Coalition looks forward to participating in the CPUC Hearings in San Francisco and commenting, providing a brief on A.16-07-002 as to how it impacts the passive wastewater systems.

B. The party's itemized estimate of the compensation that the party expects to request, based on the anticipated duration of the proceeding (§ 1804(a)(2)(A)(ii)):				
Item	Hours	Rate \$	Total \$	#
ATTORNEY, EXPERT, AND ADVOCATE FEES				
[Attorney 1]				0
[Attorney 2]				0
[Expert 1]				0

[Expert 2]				0
[Advocate 1]				0
[Advocate 2]				0
				Subtotal:
\$				
OTHER FEES				
[Person 1]				0
[Person 2]				0
Subtotal: \$				
COSTS				
[Item 1]				0
[Item 2]				0
Subtotal: \$				
TOTAL ESTIMATE: \$0				
Estimated Budget by Issues:				
<p><i>When entering items, type over bracketed text; add additional rows to table as necessary. Estimate may (but does not need to) include estimated Claim preparation time. Claim preparation time is typically compensated at ½ professional hourly rate.</i></p>				

PART III: SHOWING OF SIGNIFICANT FINANCIAL HARDSHIP
(To be completed by party (“customer”) intending to claim intervenor compensation; see Instructions for options for providing this information)

A. The party claims “significant financial hardship” for its Intervenor Compensation Claim in this proceeding on the following basis:	Applies (check)
1. “[T]he customer cannot afford, without undue hardship, to pay the costs of effective participation, including advocate’s fees, expert witness fees, and other reasonable costs of participation” (§ 1802(g)); or	<input type="checkbox"/>
2. “[I]n the case of a group or organization, the economic interest of the Individual members of the group or organization is small in comparison to the costs of effective participation in the proceeding” (§ 1802(g)).	<input checked="" type="checkbox"/>
3. A § 1802(g) finding of significant financial hardship in another proceeding, made within one year prior to the commencement of this proceeding, created a rebuttable presumption in this proceeding (§ 1804(b)(1)).	<input type="checkbox"/>
Commission’s finding of significant financial hardship made in proceeding number:	
Date of Administrative Law Judge’s Ruling (or CPUC Decision) in which the	

finding of significant financial hardship was made:	
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B. The party's explanation of the factual basis for its claim of "significant financial hardship" (§ 1802(g)) (necessary documentation, if warranted, is attached to the NOI:

**PART IV: ATTACHMENTS DOCUMENTING SPECIFIC
ASSERTIONS MADE IN THIS NOTICE**
(The party ("customer") intending to claim intervenor compensation
identifies and attaches documents; add rows as necessary)

Attachment No.	Description
1	Certificate of Service
2	ByLaws Central Coast Coalition of Communities for Wastewater Equity

ADMINISTRATIVE LAW JUDGE RULING⁴
(Administrative Law Judge completes)

	Check all that apply
1. The Notice of Intent (NOI) is rejected for the following reasons:	<input type="checkbox"/>
a. The NOI has not demonstrated the party's status as a "customer" for the following reason(s):	<input type="checkbox"/>
b. The NOI has not demonstrated that the NOI was timely filed (Part I(B)) for the following reason(s):	<input type="checkbox"/>
c. The NOI has not adequately described the scope of anticipated participation (Part II, above) for the following reason(s):	<input type="checkbox"/>
2. The NOI has demonstrated significant financial hardship for the reasons set forth in Part III of the NOI (above).	<input type="checkbox"/>
3. The NOI has not demonstrated significant financial hardship for the following reason(s):	<input type="checkbox"/>
4. The Administrative Law Judge provides the following additional guidance (see § 1804(b)(2)):	<input type="checkbox"/>

⁴ A Ruling needs not be issued unless: (a) the NOI is deficient; (b) the Administrative Law Judge desires to address specific issues raised by the NOI (to point out similar positions, areas of potential duplication in showings, unrealistic expectations for compensation, or other matters that may affect the customer's Intervenor Compensation Claim); or (c) the NOI has included a claim of "significant financial hardship" that requires a finding under § 1802(g).

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IT IS RULED that:

1. The Notice of Intent is rejected.	<input type="checkbox"/>
2. The customer has satisfied the eligibility requirements of Pub. Util. Code § 1804(a).	<input type="checkbox"/>
3. The customer has shown significant financial hardship.	<input type="checkbox"/>
4. The customer is preliminarily determined to be eligible for intervenor compensation in this proceeding. However, a finding of significant financial hardship in no way ensures compensation.	<input type="checkbox"/>
5. Additional guidance is provided to the customer as set forth above.	<input type="checkbox"/>

Dated _____, at San Francisco, California.

Administrative Law Judge